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FCC HANDS DOWN DECISION ON WNYU-FM

On Monday, September 16, the Federal Communications Commission Hearing Examiner handed down an initial decision concerning the long-disputed application for the last FM educational channel (channel 206) in the New York metropolitan area. The contest has been between New York University and Farleigh Dickinson University.

Hearing Examiner Charles J. Frederick decided to grant both applications on a shared-time basis. This means that the channel has been awarded to both parties and that they should work out a schedule for splitting the broadcast time equitably between themselves.

The immediate and unanimous reaction of the student managers of WNYU, presently operating on a low-power, AM frequency, in a network at University Heights and Washington Square, was that the Examiner's decision does not resolve the basic issue; the merit of WNYU's programming on an educational basis as opposed to that of WFDU.

The response of the students may mean the appeal of the Examiner's decision to the Review Board of the

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Commission which may resolve the issue itself or return it to the Examiner for a more concrete decision.

In the words of David Fischer, General Manager of the Washington Square outlet of WNYU, "This decision is not the one we expected nor do we think it deals with the specific question at hand in the case." William Hess, General Manager of the University Heights branch of WNYU, added, "This is a precedent-setting case. For the Examiner to react in this manner cannot be expected to be taken as a final decision." Both student managers concurred that they wanted the University to push on for a specific award of the channel, which was originally granted to the United Nations. Both Fischer and Hess agreed that this is but one more step in a case that has become extremely complicated with many of the more subtle issues clouded.

Before the decision can be appealed the Board of Advisors of WNYU must uphold the decision of the students.

the contested application between the two educational instutions has been before the Commission for more than two years and has aroused much curiosity among students all over New York University as well as much attention in the broadcast industry.